

Appl. No.: 10/027,101

Amdt. Dated June 13, 2005

Response to Office Action of March 11, 2005

REMARKS/ARGUMENTS

Claims 1-32 are currently pending in the present application. Claims 1-4, 6, 7, 11-14 and 16-18 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 5,634,006 issued to Baugher et al. Claims 5, 8-10, 15, 19-24 and 26-32 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Baugher in view of U.S. Application Publ. No. 2002/0152319 to Amin et al. Applicant respectfully traverses the rejection.

Applicants have amended claim 1 as follows:

1. A method facilitating deployment of volume-based network policies across a computer network, the method comprising the steps of:
monitoring, over a given time interval, the aggregate volume of data transfer corresponding to each user of a plurality of users;
detecting, for a first user in the plurality of users, a network utilization milestone, wherein the network utilization milestone occurs when the aggregate volume of data transfer associated with the first user crosses a threshold; and
affecting a characteristic associated with the network access provided to the first user identified in the detecting step.

As amended claim 1 provides a method that monitors over a time interval the aggregate data transfer corresponding to each user in a plurality of users and, after the aggregate data transfer for a first users crosses a threshold, affecting a characteristic of the network access provided to the first user. Independent claims 11, 23, 24 and 27 have been amended in similar manners.

As amended, Baugher, neither alone or in combination with Amin, discloses or suggests the claimed subject matter. Baugher discloses methods and systems that reserve bandwidth for individual data flows initiated by hosts on a token ring network. Amin discloses the deployment of accounting and QoS mechanisms across a computer network. Neither Baugher nor Amin disclose methods or systems that monitor aggregate data transfer for individual users, and affect a characteristic of the network access provided to a first user after the aggregate data transfer corresponding to the first user crosses a threshold value.

In light of the foregoing, Applicant believes that all currently pending claims are presently in condition for allowance. Applicant respectfully requests a timely Notice of Allowance be issued in this case. If the Examiner believes that any further action by Applicant is necessary to place this application in condition for allowance, Applicants request a telephone

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conference with the undersigned at the telephone number set forth below.

Date: June 13, 2005

Respectfully Submitted,
LAW OFFICE OF MARK J. SPOLYAR
By

A handwritten signature in black ink, appearing to read "Mark Spolyar", is written over the printed name.

Mark J. Spolyar
Reg. No. 42,164

Customer Number: 30505
Law Office of Mark J. Spolyar
38 Fountain St.
San Francisco, CA 94114
415-826-7966
415-480-1780 fax